

WVEEO MEDIATION GUIDELINES FOR THE EEO COUNSELOR



- Follow your agency's policy or policies concerning mediation for EEO complaints.
- If your agency has no such policy but allows mediation for EEO matters, follow these WVEEO Office Mediation Guidelines.
- Provide a copy of WVEEO Mediation Q&A to all parties. It is your duty to explain the mediation process to all parties.
- Provide a copy of the Agreement to Mediate form (WVEEOAMF18) to all parties, to be returned signed before mediation commences.
- Inform the parties that although a mediation may take up to thirty (30) working days to complete from the first point of contact, that mediation will be quicker than a formal EEO investigation.
- Unlike Informal Resolution, mediation must have the consent of both parties before commencing.
- Make sure that you have a secure location for the mediation session(s), keeping in mind confidentiality and comfort.
- Mediation requires a trained mediator/facilitator. The WVEEO Office has a list of trained mediators available. However, your agency may obtain or train its own mediator.
- After the mediation, meet with the mediator to obtain a copy of the signed agreement if the mediation was successful.
- Regardless of outcome, after the mediation, meet with the mediator to obtain his/her notes taken during the mediation and destroy them.
- If the mediation is successful, keep a copy of the signed agreement for your files.
- If the mediation is unsuccessful, schedule a meeting within five (5) working days with the complainant to ascertain their desires about going forward with a formal EEO investigation.
- Submit a copy of EEO Counselor's Report Form (EEOCRF18) to the WVEEO Office reflecting the outcome of the mediation.